IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 1527 OF 2007

Satyawan Gokul Masurkar .... Petitioner

versus

M/s. Oilfield Instrumentation,
Mumbai and others. ..... Respondent.

Shri P.N. Anaokar for the petitioner
Shri Rahul Nedekar for respondents.

CORAM; A.P. DESHPANDE, J.
DATED; 6TH MARCH, 2007

P.C.;

1. An interlocatory order passed by the labour court, refusing interim relief prayed for is confirmed by the Industrial court by dismissing the revision filed by the petitioner. By way of interim relief, the petitioner had prayed for staying the departmental enquiry, wherein as yet the final order is not passed. Both the courts below have recorded a concurrent finding about the complainant not being in a position to establish a strong primafacie case for granting interim relief.

2. Perused the order. No interference is called for. In the result, the writ petition is summarily rejected.

3. At this stage, the learned counsel for the petitioner submits that the petitioner be granted liberty to move for amendment of the complaint, if in case an order of punishment is passed by the employer, consequent upon the enquiry which is subject matter of the present complaint. The petitioner is granted permission to apply for amendment of the complaint in the event if order of punishment is passed in the departmental proceedings that are pending. Having regard to the peculiar facts and circumstances, I hope and trust that the labour court will disposed of the main complaint as expedititously as possible.

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